

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INVESTIGATION INTO THE ALLEGED)
VIOLATIONS OF KRS CHAPTER 278) CASE NO. 10019
BY SANICO, INC.)

O R D E R

On September 2, 1978, the Commission ordered Sanico, Inc. ("Sanico"), to appear before the Commission on September 30, 1987, and show cause why it should not be subject to the penalties described in KRS 278.990 for failing to comply with the provisions of Chapter 278 of the Kentucky Revised Statutes. The Commission also ordered Sanico to submit by September 16 a written response to the allegations contained in the Complaint Investigation Report attached to its Order.

A review of the Commission's records shows that Sanico has filed no response to the allegations contained in the Complaint Investigation Report as of the date of this Order.

On September 28, 1987, Sanico, through its counsel, filed a motion with the Commission requesting that the hearing scheduled for September 30 be continued to a later date. Sanico's motion states that its counsel, Mr. Howell W. Vincent, underwent surgery on September 5, 1987, has been unable to attend fully to his regular duties as a practicing attorney since then, and would be unable to attend the scheduled proceedings.

The Commission has also been advised that on September 4, 1987, the Mason Circuit Court issued an Order against Sanico which restrains it from failing to operate and maintain its facilities. This Order continues in effect.

The Commission finds that:

1. No response to the allegations contained in the Complaint Investigation Report has been filed with the Commission.

2. Sanico's counsel recently underwent surgery and is unable to attend the proceedings scheduled for September 30, 1987.

3. Sanico is currently under a court order which restrains it from failing to operate and maintain its facilities. Public health and safety would not, therefore, be adversely affected by continuing the proceedings to a later date.

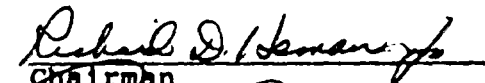
IT IS THEREFORE ORDERED that:

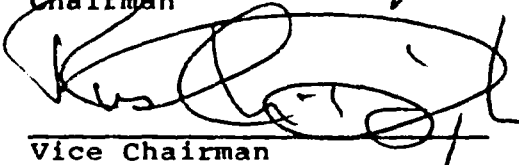
1. Sanico's motion for a continuance is granted. The proceedings scheduled for September 30, 1987, are rescheduled to October 29, 1987, at 1:30 p.m., Eastern Standard Time, in the Commission's offices at Frankfort, Kentucky.

2. Sanico shall file with the Commission by October 16, 1987, a written response to the allegations contained in the Complaint Investigation Report attached to the original order in this case. Its written response shall also address the issue of current ownership of Sanico's Mason County sewage treatment facilities.

Done at Frankfort, Kentucky, this 28th day of September, 1987.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

ATTEST:

Executive Director


Commissioner